

Attorney's Docket No.: 14952.0282 / MIT CASE 8733

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : George P. Anderson et al. Art Unit : 1653
Serial No. : 09/811,824 Examiner : Chih Min Kam
Filed : March 20, 2001
Title : INORGANIC PARTICLE CONJUGATES

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

DECLARATION OF MOUNGI G. BAWENDI UNDER 37 C.F.R. §1.132

I, Mounji G. Bawendi, declare:


1. I am a co-inventor of the subject matter described and claimed in the above-captioned patent application.

2. I am also an author of the subject matter claimed in U.S. Patent No. 6,306,610 ("the '610 patent") and U.S. Patent No. 6,326,144 ("the '144 patent"). The '610 patent and the '144 patent were cited against the above-captioned Application by the Examiner in the Office Action mailed on February 20, 2004.

3. The other co-authors of the '610 patent and the '144 patent are Frederic V. Mikulec and Vikram C. Sundar. Sundar and I, along with our co-inventors, prepared and tested the ionic conjugates described in the above-captioned application. Mikulec, while a co-inventor of the subject matter claimed in the '610 patent and the '144 patent, is not a co-inventor of the subject matter claimed in the above-captioned application. Unlike Sundar and me, Mikulec was not involved with any discovery or development of the concepts with regard to a composition including an inorganic particle electrostatically associated with a macromolecule.

5. All statements made herein of my knowledge are true and that all statements made on information and belief are believed to be true; and further these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patents issued thereon.

Date: 5/19/04


Mounji G. Bawendi